

Exhibit B



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Trooper sex assault case is prosecutor's 'nightmare'

Bocchini tackles yet another high-profile criminal matter

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The prosecutor investigating allegations that New Jersey state troopers sexually assaulted a university student says it is a complicated case, it could take weeks to complete and he has no inkling how it will turn out.

But he's sure of one thing. He wishes the alleged sex assault had taken place somewhere else.

"I told Bob Bernardi — you know, the Burlington County prosecutor — that I wished the guy lived in Bordentown," Joseph Bocchini said of the trooper's home where the incident reportedly occurred. "If I saw Bruce Kaplan, the Middlesex prosecutor, I'd say that I wished the guy lived in North Brunswick."

Bocchini said nothing about this case is going to be easy.

"It's a nightmare," he said during an interview in his Trenton office. "The puzzle is complex. Any prosecutor who would look for this type of case, I think, has a psychological problem."

For three decades, Bocchini was a supporting player in New Jersey politics, an assemblyman, municipal judge and two-time candidate for county executive. Now as the Mercer County prosecutor, "Joe Bo" as he is called by friends, will ultimately decide whether to proceed with criminal charges stemming from an incident that has already led to the suspension of seven state troopers and drawn national attention.

With eight months left to his five-year term, the quotable and colorful 63-year-old prosecutor is blunt in his assessment of the case in which a 25-year-old Rider University student alleged she was assaulted by one or more troopers after she and a friend accompanied seven of them to a trooper's home in Ewing Township.

The woman said the assault took place after a night of socializing at a riverfront nightclub in the shadow of the Statehouse. The troopers have denied the accusations.

"Oh, this would be great for television," Bocchini said. "But in real life, you're dealing with issues of law that need to be proven and we have this investigation that's still going forward. And we don't know where it's going to go."

Bocchini and his staff have said little about the investigation. Prosecutors have not determined whether they believe a crime was committed, much less whether one could be proved in court.

What's known is the woman went to a Mercer County hospital on Dec. 7, complaining she had been sexually assaulted early that morning. Ewing police responded, took a report and forwarded the case to Bocchini's office.

In short order, seven troopers including two detectives, one sergeant and another who teaches recruits at the academy were suspended with pay.

As challenging as life was in politics, Bocchini's tour as prosecutor has been anything but boring.

In the last two years, the prosecutor has publicly feuded with Trenton Police Director Joseph Santiago over police policies. And Bocchini has overseen investigations into the mysterious death of College of New Jersey student John Flocco Jr., and the alcohol-related death of Rider University student Gary DeVercelly Jr.

Attorney Charles Sciarra, acting as spokesman for all the accused troopers, said any sexual acts that occurred were consensual.

Sciarra said he thinks the prosecutor is "doing all the due diligence that is required."

Bocchini, for his part, would allow only that this is a "textbook" example of a nettlesome case, with multiple accounts, the presence of alcohol, the lack of tapes or pictures that could verify statements, and the fact that medical evidence could, in the end, be no help in determining anything other than adults may have had sex.

The prosecutor said it will take a long time to unravel the evidence.

"I don't see anything happening with this case, of a definitive manner -- meaning we have a feeling of which way we're going -- until well after the first of the year," Bocchini said.

Bocchini also dismissed any comparisons between this case and the now-infamous Duke University rape prosecution in which three students were falsely accused of assaulting a woman at a March 2006 party. State investigators later determined the accuser's story was a lie and the prosecutor, Mike Nifong, was ultimately disbarred after North Carolina's attorney general criticized him for a "tragic rush to accuse."

"Mike Nifong is everything you don't want to be," Bocchini said. "By this time (in the Duke case), Mike Nifong had already had six press conferences and said 10 different things."

From his legal and investigative staff of 94, Bocchini said he has assigned 10 or 11 people to work on the probe. Even with that kind of attention, he said it would take several more weeks to piece together evidence and statements in order to decide whether to proceed to a grand jury or decline to prosecute.

Bocchini said he has no illusions.

"At the end of the day," he said, "some people are going to say 'he was right' and other people are going to say we were wrong. And let's say for the sake of discussion, there were to be an indictment and go to trial and everybody gets acquitted. Then, you're no good because you never should have indicted them. Or they blew the case and they should have been convicted. Or one goes down and another goes down. Who knows? There are a multitude of scenarios that, if you want to play make believe, these things could occur."

"But, you know what, that's our job," Bocchini said. "You don't get the luxury of saying 'Oh, hey this is good! We're going to win this case. We're going to look great.'"

Over the course of 30 years in the bloodsport of Garden State politics, Bocchini has won and lost and he knows how narrow the gulf can be between those two.

Long renowned as a raconteur with a quick joke, Bocchini, a Democrat, gave up a near-guaranteed election to a fourth term in the state Assembly to run for Mercer executive in 1987. He lost a close and bitter race to incumbent Bill Mathesius ("Bill and I have managed to bury our hatchets -- not in each other's backs.")

A native of the Chambersburg section of Trenton, Bocchini lost a second run for county executive in 1991 and also was unsuccessful in a bid for appointment to the state Superior Court.

After recovering from a quadruple bypass in 2001, Bocchini said he refocused his sights on what he really wanted to do, culminating in his 2003 appointment as prosecutor. The job came with a fairly unimpressive office in the same ancient county courthouse where he once was a law clerk.

"I didn't anticipate having this much public attention," said Bocchini, as he rattled off the cases that have given him more than a fair share of close-ups.

Among that group, the one that stung the most was the August indictment of two Rider administrators in the wake of the drinking death of DeVercelly.

"I wish it hadn't happened," Bocchini said, though he stressed he remains proud of the decisions he made -- first to announce the indictments and then to get them dismissed.

Bocchini said he didn't want to blame the grand jury completely, but said the members "had their own mind" when they handed up an indictment against Rider's dean of students and the director of fraternity and sorority activities. Amid a chorus of criticism, Bocchini and his staff reviewed the evidence and the prosecutor ultimately sent lawyers back into court to get the charges against the school officials dismissed.

In the end, he said, "justice was served," and even defense lawyers praised the decision.

Bocchini said he would like to be reappointed but would "just play some more golf" if he's not.

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